



IFM

2154

AMENDMENT TRANSMITTAL

PATENT

Application No.: 09/875,670
Filing Date: 6/5/01
First Named Inventor: Davies, et al.
Examiner's Name: Siddiqi, M.
Art Unit: 2154
Attorney Docket No.: 80398.P394

- ☐ An Amendment After Final Action (37 CFR 1.116) is attached and applicant(s) request expedited action.
- ☒ Charge any fee not covered by any check submitted to Deposit Account No. 02-2666.
- ☒ Applicant(s) hereby request and authorize the U.S. Patent and Trademark Office to (1) treat any concurrent or future reply that requires a petition for extension of time as incorporating a petition for extension of time for the appropriate length of time and (2) charge all required fees, including extension of time fees and fees under 37 CFR 1.16 and 1.17, for any concurrent or future reply to Deposit Account No. 02-2666.
- ☐ Applicant(s) claim small entity status (37 CFR 1.27).

ATTACHMENTS

- ☐ Preliminary Amendment
- ☐ Amendment/Response with respect to Office Action
- ☐ Amendment/Response After Final Action (37 CFR 1.116) (reminder: consider filing a Notice of Appeal)
- ☐ Notice of Appeal
- ☐ RCE (Request for Continued Examination)
- ☐ Supplemental Declaration
- ☐ Terminal Disclaimer (reminder: if executed by an attorney, the attorney must be properly of record)
- ☐ Information Disclosure Statement (IDS)
- ☐ Copies of IDS citations
- ☐ Petition for Extension of Time
- ☐ Fee Transmittal Document (that includes a fee calculation based on the type and number of claims)
- ☐ Cross-Reference to Related Application(s)
- ☐ Certified Copy of Priority Document
- ☐ Other: Reply brief to Exam. Answer (4 pgs.)
- ☐ Other: _____
- ☐ Check(s)
- ☒ Postcard (Return Receipt)

SUBMITTED BY:

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP
TYPED OR PRINTED NAME: Eric S. Replogle
SIGNATURE: [Signature]
REG. NO.: 52,161
DATE: Sept. 26, 2006
ADDRESS: 12400 Wilshire Boulevard, Seventh Floor
Los Angeles, California 90025
TELEPHONE NO.: (408) 720-8300

CERTIFICATE OF MAILING BY FIRST CLASS MAIL (if applicable)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria Virginia 22313-1450

on September 26, 2006

Date of Deposit

[Signature]
Signature

Name of Person Mailing Correspondence

9-26-06
Date

Express Mail Label No. (if applicable): _____

Send to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450

(10/14/03)



City Docket No. 80398.P394

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:) Examiner:	Siddiqi, M. A.
Davies, et al.)	
) Art Unit:	2126
)	
Application No. 09/875,670) Confirmation No:	7529
)	
Filed: June 5, 2001)	
)	
For: A METHOD AND AN)	
APPARATUS FOR THE)	
INTEGRATION OF IP)	
DEVICES INTO A HAVI)	
NETWORK)	
)	

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REPLY TO EXAMINER'S ANSWER

In response to the Examiner's Answer mailed July 23, 2006, Applicant respectfully requests consideration of the following remarks.

REMARKS

Appellant is filing this reply to the Examiner's Answer to clarify Appellant's statements made in the Appeal Brief filed October 17, 2005. In particular, Appellant is responding to only to the Examiner's interpretation of Cheng (see I and II below). These arguments presented in no way detract from Appellant's original arguments presented in the Appeal Brief.

I

A. In the Examiner's Answer, the Examiner asserts Appellant's arguments that Cheng specifically states that "neither the web server nor the HAVi device have to be modified for the bridge to work" and that Cheng's glue layers "execute on other systems also connected to the HAVi network" are not based on a limitation of Appellant's claims. Appellant respectfully disagrees.

Cheng discloses that the prior art required modification of Internet Protocol (IP) or Home Audio Video Initiative (HAVi) devices in order to facilitate communication between IP and HAVi networks (Cheng, paragraph 0009). In contrast to the prior art, Cheng states that it is an object of the invention to avoid modifying existing communication means of an IP device or HAVi device in order to communicate between the two devices (Cheng, paragraph 0010). Furthermore, Cheng's web server is an IP device (Cheng, Figure 2, paragraphs 0023-0024).

Appellant's independent claims 1 and 33 recite an IP device that communicates with a HAVi device using an application programming interface compliant with the HAVi protocol. Similarly, Appellant's claim 29 recites an IP device that communicates with a home audio/video network device through a dedicated home audio/video network protocol. Thus, Appellant's IP device uses a non-IP protocol to communicate with the home audio/video network (or HAVi) device. Therefore, Appellant claims a modified IP device to communicate with the home network audio/video device. In contrast, Cheng's IP device communicates with the HAVi device through a separate bridge without modification of either the IP or HAVi device. Accordingly, Appellant's arguments are based on limitations of the claims.

B. The Examiner further asserts that Appellant's arguments regarding Cheng's avoiding IP/HAVi device modification and Cheng's glue layers are not substantiated by Cheng. Appellant respectfully disagrees. As per above, it is the object of Cheng to avoid modifying either the web server or the HAVi device in order for the two devices communicate with each other. Moreover, Cheng discloses that the web server and HAVi device communicate via the separate bridge (Cheng, Figure 2, paragraphs 0023-0024). Thus, Appellant's statements are substantiated by Cheng.

II

In addition, the Examiner characterizes Appellant's argument that Cheng that teaches away from locating the proxy on web server 180 as a "mere disclosure of more than one alternative" which does not constitute "a teaching away because the alternatives do not ... discourage the solution claimed." (Examiner's Answer, p. 12) Appellant respectfully disagrees. As per above, it is the object of Cheng to avoid modifying the web server in order for the web server to communicate with the HAVi device. Thus, Cheng discourages modifying the web server. Therefore, Cheng does teach away from locating the claimed proxy on a web server as per Appellant's argument.

Accordingly, Appellant respectfully submits that Appellant's arguments are based on the limitations of the claims and substantiated by Cheng. Moreover, Appellant respectfully submits that Cheng does teach away as per Appellant's argument above.

SUMMARY

Claims 1-32 are currently pending. In view of the foregoing and remarks, Appellant respectfully submits that the pending claims are in condition for allowance. Appellant respectfully requests the Board to remove the Examiner's objection and allow the pending claims.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Eric Replogle at (408) 720-8300 x258.

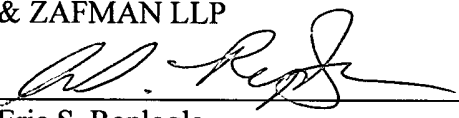
Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR
& ZAFMAN LLP

Dated: Sept. 26, 2006


Eric S. Replogle
Registration No. 52,161

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, CA 90025-1026
(408) 720-8300